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#12138  
10/22/02  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECH CENTER 1600/2900

In re application of McCart, et al.

App. No. : 09/991,721  
Filed : November 13, 2001  
Title : A COMBINED GROWTH FACTOR-  
DELETED AND THYMIDINE KINASE-  
DELETED VACCINIA VIRUS VECTOR  
Art Unit : <sup>1636</sup>~~1642~~  
Examiner : *Sullivan Daniel*  
Unknown

**POWER OF ATTORNEY BY ASSIGNEE UNDER 37 C.F.R. § 3.73(b)**  
**AND**  
**EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71**

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir or Madam:

The United States Department of Health and Human Services is assignee of the entire right, title and interest in and to the above-identified application, as shown by the assignment recorded on June 21, 2002, at Reel 013001, Frame 0334, in the patent assignment records of the U.S. Patent and Trademark Office. This recorded Assignment has been reviewed by the undersigned, who certifies that, to the best of his or her knowledge and belief, title is in the assignee.

Said assignee hereby revokes any previous Powers of Attorney in the subject application and appoints the registrants of National Institutes of Health Offices of Technology Transfer, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852, telephone (301) 496-7056, **Customer No. 005318** as its attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

Said appointment is to the exclusion of the inventor(s) and their attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Serial No. : 09/991,721  
Filed : November 13, 2001

The National Institutes of Health Office of Technology Transfer has been duly delegated responsibility for such patent matters under the authority of the Department of Health and Human Services Secretary Louis W. Sullivan's May 21, 1991 memorandum appearing in the Friday, June 7, 1991 Federal Register Notices at Vol. 56, No. 110, pp. 26418-26419. The undersigned is authorized to exercise such authority in this matter.

Done on this 13 day of SEPTEMBER, 2002, at Rockville, Maryland.

UNITED STATES DEPARTMENT OF HEALTH  
AND HUMAN SERVICES

By: Jack Spiegel  
Printed Name: JACK SPIEGEL

Registration No.: 34,427

for:  
Office of Technology Transfer  
National Institutes of Health  
6011 Executive Boulevard, Suite 325  
Rockville, MD 20852  
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DHHS CASE NO. E-181-99/0

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SEP 23 2002  
PATENT & TRADEMARK OFFICE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of McCart, et al.

App. No. : 09/991,721

Filed : November 13, 2001

Title : A COMBINED GROWTH  
FACTOR-DELETED AND  
THYMIDINE KINASE-DELETED  
VACCINIA VIRUS VECTOR

Art Unit : 1642

Examiner : Unknown

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ASSOCIATE POWER OF ATTORNEY

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir or Madam:

The undersigned attorney of record, pursuant to the provisions of 37 C.F.R. §§ 1.33 and 1.34, and M.P.E.P. § 402.02, hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected herewith.

Done on this 13 day of SEPTEMBER, 2002, at Rockville, Maryland.

UNITED STATES DEPARTMENT OF HEALTH  
AND HUMAN SERVICES

By:

Printed Name:

Registration No.: 34,477

for:

Office of Technology Transfer

National Institutes of Health  
6011 Executive Boulevard, Suite 325  
Rockville, MD 20852  
Telephone (301) 496-7056  
Facsimile (301) 402-0220

**DHHS CASE NO. E-181-99/0**

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